



Express Mail Label No. EV 308898636 US  
Date of Deposit: September 9, 2004

DOCKET NO: D0460-7011US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David R. Whitlock  
Serial No: 10/501,415  
Filed: January 13, 2003  
For: COMPOSITIONS INCLUDING AMMONIA OXIDIZING BACTERIA AND  
METHODS OF USING SAME

Examiner: Not Yet Assigned  
Conf. No.: 9899

**Mail Stop Petition**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED  
PATENT APPLICATION UNDER 37 C.F.R. 1.137 (b)**

Sirs:

It is respectfully requested that the above-identified patent application be revived under the provisions of 37 C.F.R. § 1.137 (b).

1. This application became abandoned for failure to file the full U.S. Basic National Fee by 30 months.
2. The failure to provide the full U.S. Basic National Fee was unintentional, as applicant's representative neglected to authorize its deposit account be charged (a copy of the PTO 1390 form as filed is enclosed).
3. The first time that applicants representative became aware of the inadvertent error was due to receipt of the Notification of Abandonment from the U.S. PTO. The Notification of Abandonment was received by applicant's representative's office on Friday, September 3, 2004. September 4-6, 2004 included the weekend and labor day holiday. Applicant's attorney was made aware of the Notification of Abandonment on September 7, and the petition was prepared and filed expeditiously thereafter. The entire delay in filing the required reply (the payment of the fees) from the due date for the reply until the filing of this petition was unintentional.

09/17/2004 GFREY1 00000071 10501415

04 FC:2453 665.00 OP

749115.1

4. The required reply to the Notification of Abandonment is the U.S. Basic National Fee, this petition and Petition to Revive Fee.

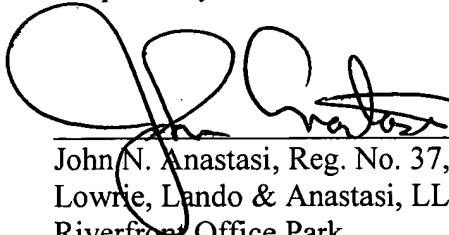
5. The petition fee as set forth in 37 C.F.R. §1.17(m) in the amount \$665.00 is enclosed herewith, along with the payment of the U.S. Basic National Fee in the amount of \$183.00.

Should there be any questions or if this petition does not place result in revival of this application, Applicant urges the Office of Petitions to call Applicant's Representative, John N. Anastasi, at telephone no. (617) 395-7001. In addition, please forward all correspondence to Applicant's representative:

John N. Anastasi  
Lowrie, Lando & Anastasi, LLP  
Riverfront Office Park  
One Main Street, Suite 11  
Cambridge, MA 02142

Please credit any overpayment or charge any deficiency in the enclosed fee to the account of the undersigned, Deposit Account No. 50/2762.

Respectfully submitted,



John N. Anastasi, Reg. No. 37,765  
Lowrie, Lando & Anastasi, LLP  
Riverfront Office Park  
One Main Street, Suite 11  
Cambridge, MA 02142  
(619) 395-7000

Docket No. D0460-7011US  
Date: September 9, 2004